

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 23-160 (21) NEB/JFD

UNITED STATES OF AMERICA,

Plaintiff,

V.

WILLIAM JOHNSON,
a/k/a “LIL’ WILL,”

Defendant,

ORDER OF DETENTION

This matter came before the Court on May 4, 2023, for arraignment, as well as a hearing upon the motion of the United States for an Order of Detention. The defendant was present and represented by his attorney, Charles Cremens. The United States was represented by Assistant United States Attorney Samantha H. Bates and DOJ Trial Attorney Brian W. Lynch.

The defendant was arraigned. Regarding the issue of detention, the Court advised the defendant of his rights to a detention hearing, and the defendant knowingly, intelligently, and voluntarily waived his right to a detention hearing. Pre-trial services also interviewed the defendant and issued a report recommending detention, finding that he presented a risk of non-appearance and a danger to the community.

Based on all the information before the Court, the Court concludes that there has been a showing by a preponderance of the evidence that releasing the defendant would create a serious risk of his nonappearance and there has been a clear and convincing showing that no condition or combination of conditions of bond will reasonably ensure the

safety of the community. Accordingly, the Court grants the government's motion for Detention.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Under 18 U.S.C. § 3142, pretrial detention may be ordered either upon a clear and convincing showing that release will result in a danger to the community or upon a showing by a preponderance of the evidence that release will result in a serious risk of flight. The Court finds that detention is justified in order to ensure the safety of the community and to prevent flight.

According to the bond report prepared by the office of probation and pretrial services, the defendant poses a risk of danger to the community and a serious risk of flight. Based on all of the information presented at the hearing, the Court agrees.

CONCLUSION

Based upon the evidence presented, the United States has made a clear and convincing showing that no condition or combination of conditions of bond will reasonably ensure the safety of the community and shown by a preponderance of the evidence that releasing the defendant would create a serious risk of his nonappearance. Accordingly,

IT IS HEREBY ORDERED that:

1. The motion of the United States for detention of the defendant is granted;
2. The defendant is committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

3. The defendant shall be afforded reasonable opportunity to consult privately with his lawyer; and

4. Upon Order of the Court or request by the United States Attorney, the person in charge of the corrections facility in which the defendant is confined shall deliver him to the United States Marshal for the purpose of appearance in connection with a court proceeding.

Dated: May 8, 2023

s/Tony N. Leung
The Honorable Tony N. Leung
United States Magistrate Judge